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8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No.

2010-9

12 **CYNTHIA J. STERLING**  
2010-A Harbison Road, No. 328  
13 Vacaville, California 95687

**A C C U S A T I O N**

14 **Registered Nurse License No. 573022**

15 Respondent.  
16

17  
18 Complainant alleges:

19 **PARTIES**

20 1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation solely in her  
21 official capacity as the Executive Officer of the Board of Registered Nursing ("Board"),  
22 Department of Consumer Affairs.

23 **Registered Nurse License**

24 2. On or about October 17, 2000, the Board issued Registered Nurse License Number  
25 573022 to Cynthia J. Sterling ("Respondent"). The registered nurse license was in full force and  
26 effect at all times relevant to the charges brought herein and will expire on January 31, 2010,  
27 unless renewed.

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1 extreme departure means the repeated failure to provide nursing care as required or  
2 failure to provide care or to exercise ordinary precaution in a single situation which  
the nurse knew, or should have known, could have jeopardized the client's health or  
life.

### 3 **COST RECOVERY**

4 9. Code section 125.3 provides, in pertinent part, that the Board may request the  
5 administrative law judge to direct a licentiate found to have committed a violation or violations of  
6 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
7 enforcement of the case.

### 8 **10. DRUG**

9 "Reglan" is a dangerous drug under Code section 4022 in that under federal or state law it  
10 requires a prescription.

### 11 **FIRST CAUSE FOR DISCIPLINE**

12 11. Respondent is subject to discipline pursuant to Code section 2761, subdivision (a)(1),  
13 on the grounds of unprofessional conduct, in that on or about January 19, 2005, Respondent  
14 committed acts constituting gross negligence, as defined in California Code of Regulations, title  
15 16, section 1442. Respondent administered Reglan, a dangerous drug, to Patient M.R. without a  
16 physician's order or directive.

### 17 **SECOND CAUSE FOR DISCIPLINE**

18 12. Respondent is subject to discipline pursuant to Code section 2761, subdivision (a), on  
19 the grounds of unprofessional conduct, as defined in Code section 2762, subdivision (a), in that  
20 on or about January 19, 2005, Respondent committed the following acts:

21 a. Respondent prescribed Reglan, a dangerous drug, to Patient M.R., without a  
22 physician's order or directive.

23 b. Respondent administered Reglan, a dangerous drug, to Patient M.R., without a  
24 physician's order or directive.

### 25 **THIRD CAUSE FOR DISCIPLINE**

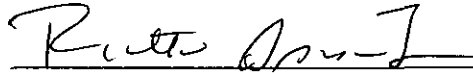
26 13. Respondent is subject to discipline pursuant to Code section 2761, subdivision (a), on  
27 the grounds of unprofessional conduct, as more particularly set forth in paragraphs 11 and 12,  
28 above.

**PRAYER**

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 573022, issued to Cynthia J. Sterling;
2. Ordering Cynthia J. Sterling to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,
3. Taking such other and further action as deemed necessary and proper.

DATED: 7/8/09



RUTH ANN TERRY, M.P.H., R.N.  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
*Complainant*